

RESPONSE TO FINAL OFFICE ACTION and NOTICE OF APPEAL
Serial No. 10/716,096
Page 1 of 9

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

PATENT APPLICATION

Applicant: **Danek, et al.**

Case: **761C4/CPI/L/B/PJS**

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Serial No.: **10/716,096**

Filed: **November 18, 2003**

MAY 04 2005

Examiner: **Lund, Jeffrie Robert**

Group Art Unit: **1763**

Confirmation No.: **4854**

Title: **CHAMBER FOR CONSTRUCTING A FILM ON A SEMICONDUCTOR
WAFER**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

RESPONSE TO FINAL OFFICE ACTION DATED MARCH 4, 2005
AND NOTICE OF APPEAL

Please enter this response to the Final Office Action dated March 4, 2005, having a shortened statutory period for response set to expire on June 4, 2005. This response includes a combined amendment under 37 C.F.R. §1.116 and a Notice of Appeal. The Applicants believe that a \$500.00 appeal fee and a \$130.00 terminal disclaimer fee are due in connection with this response. The Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782 for these fees and any other fees, including extension of time fees, required to make this response timely and acceptable to the Office.

05/05/2005 SSESHE1 00000031 200782 10716096

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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2005. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known	
FEE TRANSMITTAL for FY 2005		Application Number	10716,098
		Filing Date	November 18, 2003
		First Named Inventor	Danek, et al.
		Examiner Name	Jeffrie Robert Lund
		Art Unit	1763
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	781C4/CPI/L/B/PJS
TOTAL AMOUNT OF PAYMENT (\$) 630.00			

METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : _____
- ☒ Deposit Account Deposit Account Number: 20-0782 Deposit Account Name: Moser, Patterson & Sheridan, LLP
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments
- Under 37 CFR 1.16 and 1.17

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims		
Extra Claims		
Fee (\$)		
Fee Paid (\$)		
-20 or HP= _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims		
Extra Claims		
Fee (\$)		
Fee Paid (\$)		
-3 or HP= _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(a).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____

4. OTHER FEE(S)

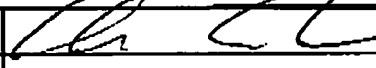
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : Notice of Appeal \$500.00; Terminal Disclaimer \$130.00

Fees Paid (\$)

\$630

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	25,436	Telephone	(732) 530-8404
Name (Print/Type)	Keith Taboada, Esq.	Date	May 4, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TELEFAX COVER SHEET

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THIS MESSAGE HAS 13 PAGES INCLUDING THIS SHEETTO: Commissioner for PatentsFAX NO.: 703-872-9306FROM: Keith Taboada, Esq.DATE: May 4, 2005MATTER: Serial No. 10/716,096 Filed: November 18, 2003DOCKET NO.: 761C4/CPI/L/B/PJSAPPLICANT: Danek, et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

☐ Petition
☐ Disclosure Statement & PTO-1449
☐ Priority Document
☐ Drawings (sheets) informal
☐ Amendment
☒ Response to Final Office Action and
Notice of Appeal (9 pages)

☐ Transmittal Letter (2 copies)
☒ Fee Transmittal (2 copies)
☒ Deposit Account Transaction
☒ Facsimile Transmission Certificate
dated May 4, 2005
☒ Terminal Disclaimer (1 page)

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 4, 2005, Facsimile No. (703) 872-9306.

Allyson M. DeVesty
Name of person signing this certificate

Allyson M. DeVesty
Signature and date

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